



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1338

Introduced 2/9/2011, by Rep. Robyn Gabel

SYNOPSIS AS INTRODUCED:

New Act

Creates the Immunization Data Registry Act. Provides that the Department of Public Health may develop and maintain an immunization data registry to collect, store, analyze, release, and report immunization data. Sets forth purposes for which the registry may be used. Sets forth provisions concerning the provision of immunization data to the registry, confidentiality, and the release of information. Establishes immunity for certain entities from civil and criminal liability for certain actions. Provides that a person who knowingly, intentionally, or recklessly discloses confidential information contained in the immunization data registry in violation of the Act commits a Class A misdemeanor. Makes other changes. Effective on July 1, 2011.

LRB097 06850 RPM 46943 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Immunization Data Registry Act.

6 Section 5. Definition. For the purpose of this Act,
7 "Department" means the Department of Public Health.

8 Section 10. Development of registry; purposes.

9 (a) The Department may develop and maintain an immunization
10 data registry to collect, store, analyze, release, and report
11 immunization data.

12 (b) Data in the immunization registry may be used only for
13 the following purposes:

14 (1) To ensure that necessary immunizations are
15 provided and over-immunization is avoided.

16 (2) To assess immunization coverage rates.

17 (3) To determine areas of under-immunization and other
18 epidemiological research for disease control purposes.

19 (4) To document that required immunizations have been
20 provided as required for school or child care admission.

21 (5) To determine coverage levels for various
22 subpopulations (geographic, racial and ethnic, and age

1 groups) in this State.

2 (6) To accomplish other public health purposes as
3 determined by the Department.

4 Section 15. Provision of immunization data to registry;
5 exemption forms; written information on immunization registry.

6 (a) A health care provider, physician's designee, or
7 pharmacist's designee may provide immunization data to be
8 entered into the immunization data registry in a manner
9 prescribed by the Department and for the purposes allowed under
10 this Act unless the patient or the patient's parent or
11 guardian, if the patient is less than 18 years of age, has
12 completed and filed with the provider, physician's designee, or
13 pharmacist's designee a written immunization data exemption
14 form.

15 (b) The Department shall create and provide copies of
16 immunization data exemption forms to health care providers who
17 are authorized to administer immunizations and individuals who
18 request the form.

19 (c) The Department shall distribute to health care
20 providers, upon request, written information to be
21 disseminated to patients that describes the immunization data
22 registry. The written information must include all of the
23 following information:

24 (1) That the health care provider may report
25 immunization data to the Department to be entered into the

1 immunization data registry.

2 (2) That the patient or the patient's parent or
3 guardian, if the patient is less than 18 years of age, has
4 a right to exempt disclosure of immunization data to the
5 registry and may prevent disclosure by signing an
6 immunization data exemption form.

7 (3) That the patient or the patient's parent or
8 guardian, if the patient is less than 18 years of age, may
9 have the individual's information removed from the
10 immunization data registry.

11 (4) Instructions on how to have the information
12 removed.

13 Section 20. Confidentiality of information; release of
14 information; statistics; panel on expanding access.

15 (a) Records maintained as part of the immunization data
16 registry are confidential.

17 (b) The Department may release an individual's
18 confidential information to the individual or to the
19 individual's parent or guardian if the individual is less than
20 18 years of age.

21 (c) Subject to subsection (d) of this Section, the
22 Department may release information in the immunization data
23 registry concerning an individual to the following entities:

24 (1) The immunization data registry of another state.

25 (2) A health care provider or a health care provider's

1 designee.

2 (3) A local health department.

3 (4) An elementary or secondary school that is attended
4 by the individual.

5 (5) A licensed child care center in which the
6 individual is enrolled.

7 (6) A licensed child-placing agency.

8 (7) A college or university that is attended by the
9 individual.

10 (d) Before immunization data may be released to an entity,
11 the entity must enter into an agreement with the Department
12 that provides that information that identifies a patient will
13 not be released to any other person without the written consent
14 of the patient.

15 (e) The Department may release summary statistics
16 regarding information in the immunization data registry if the
17 summary statistics do not reveal the identity of an individual.

18 Section 25. Immunity for providing data; penalty.

19 (a) An entity described in subsection (c) of Section 20 of
20 this Act, the Department, or an agent of the Department who in
21 good faith provides or receives immunization information is
22 immune from civil and criminal liability for the following
23 actions:

24 (1) Providing information to the immunization data
25 registry.

1 (2) Using the immunization data registry information
2 to verify that a patient or child has received proper
3 immunizations.

4 (3) Using the immunization data registry information
5 to inform a patient or the child's parent or guardian of
6 the patient's or child's immunization status or that an
7 immunization is due according to recommended immunization
8 schedules.

9 (b) A person who knowingly, intentionally, or recklessly
10 discloses confidential information contained in the
11 immunization data registry in violation of this Act commits a
12 Class A misdemeanor.

13 Section 99. Effective date. This Act takes effect July 1,
14 2011.